

**ORDINANCE NO. 23-015**

**AN ORDINANCE OF THE CITY OF RED OAK, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14 “ZONING”, BY AMENDING ARTICLE 1 “GENERAL PROVISIONS” BY ADDING NEW SECTION 9 “SPECIALTY USES”; BY AMENDING CHAPTER 14 “ZONING” AND ARTICLE 14 “BASIC DEFINITIONS AND INTERPRETATIONS” BY ADDING NEW DEFINITION FOR “DONATION BOX”; BY AMENDING CHAPTER 14A ZONING ORDINANCE, 14A ATTACHMENT 1, APPENDIX – TABLES AND CHARTS, BY AMENDING TABLE 6.1 “PERMITTED USES” AND TABLE 8.2 “PARKING REQUIREMENTS BASED ON USE”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Planning and Zoning Commission and the governing body of the City of Red Oak, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Red Oak in conformity with the Comprehensive Land Use Plan, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of legislative discretion have concluded that the Zoning Ordinance and Comprehensive Plan should be amended as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RED OAK, TEXAS:**

**SECTION 1.** That the Chapter 14 “Zoning” and Article 1 – “General Provisions”, by adding Section 9 “Specialty Uses” by adding a new Section 9.10.001, et seq to hereafter read as follows:

**“CHAPTER 14A. ZONING ORDINANCE**

**ARTICLE 1. GENERAL PROVISIONS**

**SECTION 1 TITLE**

.....

**SECTION 9. SPECIALTY USES**

**Sec. 9.10.001. Donation Box.**

Donation boxes shall only be permitted to be placed on property located within the following zoning districts: Commercial District-1 Highway Oriented District, Commercial

District-2, Industrial District, and any Planned Development District with the above-referenced underlying zoning district in accordance with this Chapter.”

**SECTION 2.** That the Code of Ordinances is hereby amended by amending Chapter 14 “Zoning” and Article 14 “Basic Definitions and Interpretations” by adding new definition for “Donation Box” to hereinafter read as follows:

**“CHAPTER 14A. ZONING ORDINANCE**

**ARTICLE 1. GENERAL PROVISIONS**

.....

**ARTICLE 14 – BASIC DEFINITIONS AND INTERPRETATIONS**

**General Definitions**

14.1.1. For the purpose of these regulations, .....

14.1.2. Specific Definitions

ACCESSORY BUILDING - .....

.....

DISTRICT, ZONING - .....

DONATION BOX - Any drop-off box, container, or other receptacle that is intended for use as a collection point for accepting donated textiles, clothing, shoes, books, toys, dishes, household items, or other salvageable items of personal property.

DRIVE-THROUGH FACILITY - .....

**SECTION 3.** That the Chapter 14 A Zoning Ordinance, 14A Attachment 1, Appendix – Tables and Charts by amending Table 6.1 “Permitted Uses” and Table 8.2 “Parking Requirements Based on Use” by adding donation box to hereafter read as follows:

**“CHAPTER 14A. ZONING ORDINANCE**

**14A Attachment 1**

**APPENDIX – TABLES AND CHARTS**

**Table 6.1 Permitted Uses**

Permitted Primary Uses	Parking Category	Zoning District												
		HO	C-1	C-2	I	RAE	RE	R-1	R-2	R-3	R-4	A	AG	FP

D. Educational, Institutional and Special Uses														
.....														
Day Care Center, Child	L	X	P	X	X	X	X	X	X	X	X	X	X	X
Donation Box	SS	P	P	P	P	X	X	X	X	X	X	X	X	X
....."														

.....

**Table 8.2 Parking Requirements Based on Use**

Use		# of Parking Spaces	Required for Each:			Additional Requirements
CATEGORY	QQ	1	Space	Per	Field (other than football)	Or 125 spaces per football field.
.....						
CATEGORY	SS	1	Stacking or Space	Per	Donation Box	

....."

**SECTION 4.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Red Oak, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances, except for those instances where there are direct conflicts with the provisions of this Ordinance. That all ordinances of the City, or parts thereof, that are in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they are inconsistent with this Ordinance. All other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED AND APPROVED** by the City Council of the City of Red Oak, Texas, on the 8<sup>th</sup> day of May, 2023.

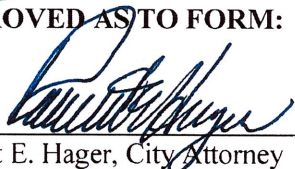


**APPROVED:**  
  
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 Mark L. Stanfill, DVM, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Caryn Stevens, TRMC, City Secretary

**APPROVED AS TO FORM:**

  
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Robert E. Hager, City Attorney